IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Bail Appl..No. 1156 of 2007()

CMP...../2007 of J.M.F.C.-II,THAMARASSERY
CRIME NO.14/07 OF THIRUVAMPADY POLICE STATION

.....

: PETITIONER/ACCUSED

SIMON,S/O.LUKOSE,
VALLIKKATTIL HOUSE, KODIYATHUR AMSOM,
THOTTMUKKOM.

BY ADV. SRI.M.J.THOMAS

RESPONDENTS: COMPLAINANT

SUB INSPECTOR OF POLICE STATION,REP.BY
THE PUBLIC PROSECUTOR.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1156 OF 2007

Dated this the 28th day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the first accused in Crime No.14/2007 of Thiruvampady Police Station for an offence punishable under Sec.55(a) of the Abkari Act for having been found in possession of 65 liters of IMFL in 151 bottles on 24.1.2007 carried in an autorikshaw and who surrendered on 29.1.2007, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 12.3.2007 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Thamarassery and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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